## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Rashaun Allen Judge,	)	C/A No. 0:19-2387-SAL-PJC
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
City of North Charleston; North Charleston	)	
Police Department; Christian Denzel Glaze;	)	
Brandon Scott Brooks,	)	
	)	
Defendants.	)	
	)	

The plaintiff has filed this action, *pro se*, seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff, who was a pretrial detainee at the time he filed this matter, alleges violations of his constitutional rights by the named defendants. The defendants filed a motion to dismiss on March 2, 2020, pursuant to the Federal Rules of Civil Procedure. (ECF No. 27.) As the plaintiff is proceeding *pro se*, the court entered an order pursuant to <u>Roseboro v. Garrison</u>, 528 F.2d 309 (4th Cir. 1975), on March 2, 2020, advising the plaintiff of the importance of a motion to dismiss and of the need for him to file an adequate response. (ECF No. 28.) The plaintiff was specifically advised that if he failed to respond adequately, the defendants' motion may be granted, thereby ending his case.

On March 16, 2020, the court issued Standing Order, Misc. No. 3:20-mc-105, that extended the plaintiff's deadline by twenty-one days from the set deadline—which in this instance was April 2, 2020—due to the current public health emergency regarding COVID-19. Despite this extension of time and notwithstanding the specific warning and instructions set forth in the court's <u>Roseboro</u> order, the plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action.

Accordingly, it is hereby

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendants' motion for to dismiss on or before <u>May 11</u>, <u>2020</u>. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. <u>See Davis v. Williams</u>, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

April 27, 2020 Columbia, South Carolina Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE